

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE EXTENSION OF A CONTRACT**

AGENCY: DC Department of Human Resources (DCHR)
CONTRACT NO: DCBE-2009-E-0040
CAPTION: DCHR Indemnity Insurance Program
PROPOSED CONTRACTOR: American Family Life Company of Columbia (AFlac)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, 1701, and 2005.6(b)

2. MINIMUM NEED:

The District of Columbia Department of Human Resources (DCHR) has a minimum need to continue to provide an Indemnity Insurance Program for the D.C employees enrolled for such coverage until the new contract is awarded through competitive solicitation. The period of performance is from July 31, 2014 to December 31, 2014.

3. ESTIMATED REASONABLE PRICE:

The estimated reasonable cost is \$0.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A.** The current contract expires on July 31, 2014, and OCP needs to extend the current contract to have sufficient time to complete and award a new competitive contract.
- B.** On June 17, 2014, a contract extension letter was sent to the Contractor for five months of continued service under the current contract rates listed in latest price schedule for the existing contract. The Contractor concurred to the extension letter on June 20, 2014.
- C.** The Contractor agreed to provide continual coverage of indemnity plans for up to 30,000 District employees. The indemnity plans are Personal Sickness Indemnity, Personal Accident Indemnity, Cancer Indemnity, Critical Illness Protection, and Hospital Confinement Indemnity. A contract modification will be issued to extend the current contract.

- D. District of Columbia employees have a need for uninterrupted coverage of the five indemnity plans listed in Section C until a new contract is awarded. The District is in the acquisition planning stage of consolidating requirements to develop a new solicitation.
- E. American Family Life Company of Columbia has been supplying the coverage for the indemnity plans for District of Columbia employees since July 31, 2009. The extension of this current contract is the only option now to ensure uninterrupted supply of jump suits, coveralls, disposable shirts and pants to the agencies. The District requires continuity of the supply of these items as required by the agencies until a new competitive contract is awarded.
- F. Public Notice of OCP's intent to award a sole source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The new posting was submitted to OCP's website on March 6, 2014.

5. **CERTIFICATION BY AGENCY DIRECTOR:**

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Shawn Stokes, Director
DC Department of Human Resources

6. **CERTIFICATION BY CONTRACTING OFFICER:**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act (PPRA) of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Shafiq R. Choudhary, CPM, CPPB
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under Section 303, 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the Sole Source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer